

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

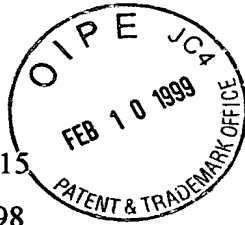
In re application of:

GRUBER *et al.*

Appl. No. 09/076,115

Filed: May 12, 1998

For: **Methods for Production and
Purification of Nucleic Acid
Molecules**



Art Unit: 1643

Examiner: (To be assigned)

Atty. Docket: 0942.4350001/RWE/BJD

First Supplemental Information Disclosure Statement

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Assistant Commissioner for Patents
Washington, D.C. 20231

FEB 16 1999

**MATRIX-CUSTOMER
SERVICE CENTER**

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on October 19, 1998, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be

prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Second Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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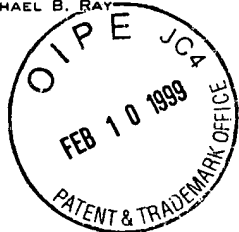
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February 10, 1999

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Re: U.S. Utility Patent Application
Appl. No. 09/076,115; Filed: May 12, 1998
For: **Methods for Production and Purification of Nucleic Acid Molecules**
Inventors: GRUBER et al.
Our Ref: 0942.4350001/RWE/BJD

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement (*in duplicate*);
2. Form PTO-1449 (1 page) citing one (1) document;
3. One copy of the cited document (A11); and
4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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**MATRIX CUSTOMER
SERVICE CENTER**

Assistant Commissioner for Patents
February 10, 1999
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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Agent for Applicants
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RWE:BJD/aaw
Enclosures